

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

EZELL ROBERTS,

Plaintiff,

v.

KEITH OVERTON, et al.,

Defendants.

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Case No. 1:18-CV-296 NAB

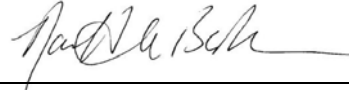
MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Unopposed Motion and Memorandum in Support for Leave to Amend Complaint. [Doc. 8.] Defendants' counsel consents to the motion. Plaintiff seeks to amend the Complaint so that he can dismiss Defendant Ashley Wells and add a Jane Doe. Plaintiff believes that the Jane Doe will be identified when Defendants' initial disclosures are provided to Plaintiff.

The Court should freely give leave to amend a pleading when justice so requires. Fed. R. Civ. P. 15(a)(2). Parties do not have an absolute right to amend their pleadings even under this liberal standard. *Sherman v. Winco Fireworks, Inc.*, 532 F.3d 709, 715 (8th Cir. 2008). "A district court appropriately denies the movant leave to amend if there are compelling reasons such as undue delay, bad faith, or dilatory motive, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the non-moving party, or futility of the amendment." *Id.* Because Plaintiff is seeking to dismiss a party who should not have been named to this action, justice requires that the Court grant Plaintiff's timely motion.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Unopposed Motion and Memorandum in Support for Leave to Amend Complaint is **GRANTED**. [Doc. 8.]



NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 2nd day of April, 2019.